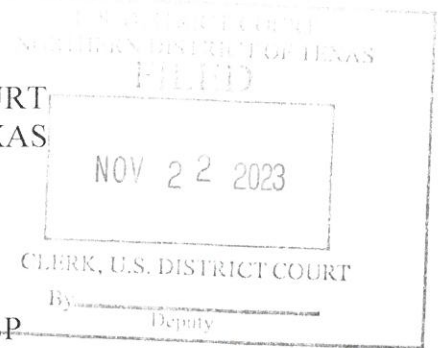


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



UNITED STATES OF AMERICA

v.

No :4:23-MJ-889-BP

BELISARIO MARTINEZ (01)
a/k/a "MTZ"
LUIS MENCHACA RIVAS (02)
ALEJANDRO DURAN (03)
a/k/a "Alex"
JOSE CASTANEDA SOLANO (04)
a/k/a "Broccoli"
ROQUE AMAYA (05)
a/k/a "Rocky";
WILLIAM LINARES (06)
a/k/a "Willy"

CRIMINAL COMPLAINT

Alleged Offenses:

I, Katie Durham, a Special Agent with the Drug Enforcement Administration ("DEA"),
being first duly sworn, hereby depose and state as follows:

Count One

Beginning on a date unknown but no later than in and around March 2023, and continuing until On or about October 28, 2023, in the Fort Worth Division of the Northern District of Texas (NDTX), defendants, **Belisario Martinez, Luis Menchaca Rivas, Alejandro Duran, and Jose Castaneda Solano**, along with others known and unknown, did knowingly and intentionally combine, conspire, confederate, and agree to engage in conduct in violation of 21 U.S.C. 846 (21 U.S.C. § 841(a)(1) and (b)(1)(A)), namely to possess with intent to distribute over five (5) kilograms of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. § 846 (21 U.S.C. §§ 841(a)(1) and (b)(1)(A))

Count Two

Beginning on a date unknown but no later than in and around March 2023, and continuing until On or about October 28, 2023, in the Fort Worth Division of the Northern District of Texas (NDTX), defendants, **Belisario Martinez, Alejandro Duran, Roque Amaya, and William Linares**, along with others known and unknown did knowingly, intentionally and unlawfully combine, conspire, confederate and agree together to commit an offense against the United States, To wit, acquiring a firearm from a license firearms dealer by a false or fictitious statement, in violation of 18 U.S.C § 371 (18 U.S.C 922 § (a)(6))

I. Introduction

1. I am a Special Agent (“SA”) of the Drug Enforcement Administration (“DEA”), Dallas Field Division, (“DFD”) HIDTA III, and I am a law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), and I am empowered by law to conduct criminal investigations and to make arrests for federal felony offenses. The facts set forth in this affidavit are based upon my own personal observations, my training and experience, and information obtained during this investigation from other sources. This affidavit is intended to show that there is probable cause for the arrest of individuals named within this affidavit, and it does not include every fact known to me, but includes those facts necessary to support the requested arrest warrants. I believe the facts provide probable cause to believe the persons discussed herein are members of a Drug and Firearms Trafficking Organization that facilitate drug trafficking crimes in violation of 21 U.S.C. § 846 (21 U.S.C. § 841(a)(1) and (b)(1)(A)) and in violation of 18 U.S.C § 371 (18 U.S.C 922 § (a)(6)).

II. Probable Cause Drug Violations

2. In and around March of 2023, DEA Dallas HIDTA Group 3 Agents received information about a Drug Trafficking Organization (DTO) responsible for distributing kilogram amounts of cocaine in Fort Worth, TX and other areas within the Northern District of

Texas. During the course of the investigation, three individuals were identified as leaders or managers in this conspiracy: Jose Castaneda Solano (hereinafter referred to as Castaneda), Alejandro Duran (hereinafter referred to as Duran) and Belisario Martinez (hereinafter referred to as Martinez). Belisario Martinez was identified as a kilogram source of cocaine. Castaneda and Duran were also identified as kilogram cocaine distributors who would source cocaine from various individuals including Martinez in order to sell to customers. Luis Menchaca Rivas (hereinafter referred to as Menchaca) was also identified as a distributor of cocaine working with Martinez. William Linares (hereinafter referred to as Linares) and Roque Amaya (hereinafter referred to as Amaya) were identified as straw purchasers of 50 caliber weapons working with Martinez.

3. In and around March 2023, agents utilized a Cooperating Defendant (hereinafter referred to as CD) to conduct a controlled purchase of one kilogram of cocaine from Castaneda and Duran. The CD provided agents with Snapchat accounts for Castaneda and Duran, and a phone number for Castaneda. The CD contacted Castaneda on his cellular phone to arrange the transaction. The CD further sent/received a series of recorded messages, calls, and Snapchat messages to/from Castaneda and Duran regarding this deal.

4. In March 2023, Castaneda and Duran agreed to sell a kilogram of cocaine to the CD for \$17,500. The CD originally planned to meet Castaneda on March 23, 2023 but the transaction did not happen. Castaneda claimed that "Alejandro had to work". The CD then messaged with Duran to arrange the deal this time. On March 26th, the CD sent a message to Duran asking if they were still on for the following day. Duran replied, "Yes Sir." The CD asked what time to tell the CD's people and Duran stated, "You said 1-2 no?"

The following morning when the CD reached out to Duran, Duran sent a picture to the CD of Duran's truck at a job site and said he was working. Duran stated that it was a for sure deal but that he would need a little more time. Over a series of messages and calls Duran informed the CD that "the other one" would be the one delivering it. Duran continued to relay messages to the CD regarding the timeline of the delivery and reassuring the CD that it was a for sure deal. Duran informed the CD at the last minute that the other one would be bringing it. CD knew the "other one" to be Duran's partner Castaneda. The CD agreed with Duran to do the deal at Juanito's Taqueria located at 4150 Hemphill St. Fort Worth, TX. 76115. Later, Duran sent a CD a message and stated, "He is getting it right now, I was on the phone with him just now." Castaneda then sent the CD a Snapchat message stating that he was 21 minutes from Juanito's. Agents observed Castaneda arrived at the agreed upon location for the transaction, as observed by DEA surveillance. Castaneda proceeded to meet with the CD for the sale of the kilogram of cocaine (this transaction was audio/video recorded). The messages between the CD, Duran, and Castaneda Solano on the day of the controlled purchase were made in the presence of agents who also took photographs of the same after they were sent and received by the CD. Additionally, messages sent and/or received to Castaneda's Snapchat account, and Duran's Snapchat account were also made in the presence of agents. Agents further corroborated the snapchat accounts were being used by Castaneda and Duran through surveillance and subpoenaed Snapchat user information.

5. On or about April 19, 2023, the Honorable Mark Pittman, United States District Judge in the Northern District of Texas, issued an Order authorizing the interception of wire communications to and from two cellular phones used by Castaneda.

Interceptions began on April 22, 2023, and expired on May 20, 2023. During the duration of the TIII, agents intercepted drug trafficking communications regarding five or more kilograms of cocaine between Duran, Castaneda Solano and other associates. However, agents noticed gaps in the communications leading them to believe that some of the relevant drug-trafficking communications were taking place on other applications such as Snapchat.

6. In and around May 7th, 2023, agents intercepted communications about Duran and Castaneda attempting to supply up to 5 kilograms to an individual, S.C. to take and sell in Little Rock, AK. Agents conducted surveillance that coincided with the intercepted communications between Duran and Castaneda and others regarding this deal. This agreement was set to establish a continuous pipeline of cocaine from Dallas, TX to Little Rock, AK.

7. In and around May 2023, the CD engaged in further communications with Castaneda to arrange the purchase of an additional kilogram of cocaine. Castaneda messaged the CD a few days prior to the attempted deal using his Snapchat account and stated, "Do your people need anymore?" Agents knew this to mean that Castaneda was asking if the CD had any available customers to purchase cocaine. The CD informed Castaneda that the CD needed one (meaning one kilogram of cocaine), and asked Castaneda to arrange the deal to take place on May 15, 2023. On May 15, 2023, the CD messaged Castaneda on his snapchat account and stated that the CD was ready to conduct the deal. This deal was arranged in order to conduct surveillance on the movement of the target subjects, their sources of supply, and additional methods of communication. The CD sent Castaneda Snapchat messages that Castaneda did not open or view immediately.

8. After not immediately reaching Castaneda, the CD then sent snapchat text messages to Duran, and informed Duran that he needed some work (referring to needing the cocaine), to which Duran agreed. The CD stated, "Is it going to be from Broccoli cuz he didn't want any problems since they had already made a deal?" Duran stated, "Ya me and him work together." Agents know that "Broccoli" is a nickname for Castaneda. During this time surveillance had followed Duran to an area of downtown Fort Worth. Agents last located Duran's vehicle in the area close to Martinez's apartment near 7th Street in Fort Worth, TX. Agents then saw Duran depart the area in his truck and drive to Castaneda's residence. A few minutes later surveillance observed Castaneda also arrive at his residence.

9. The CD and Castaneda then resumed communications through an audio Snapchat call where Castaneda stated that he would deliver the cocaine and that he (Castaneda) still had to get it in Fort Worth. Surveillance then observed Duran and Castaneda depart Castaneda's residence in Duran's white F250. Surveillance followed to the white F250 to a QT gas station located at 2501 NE 28th St. Fort Worth, TX. Surveillance observed the white F250 park at a gas pump at the QT. At approximately 3:08 p.m., surveillance observed a white Dodge Charger pull up to the gas station and park behind the white F250 occupied by Duran and Castaneda. TFO Biggs identified the driver of the charger as Menchaca and the passenger as Martinez, exit the Charger (Martinez was previously identified in and around March of 2023, and Menchaca was identified in and around July of 2023. Menchaca then grabbed a brown box from the back seat, walked up to the white F250 truck, and passed the box inside the truck.

10. Duran then called the CD to let the CD know that he had the cocaine. At the agents' direction the CD stated that they would no longer need the cocaine since it took so long to get it. Surveillance then observed the white Charger and the white Ford F250 pull into the parking lot of La Gran Plaza located in Fort Worth, TX. Surveillance observed all four individuals get out of their cars and talk to each other. Surveillance observed Menchaca take the brown box out of the back of the F250 and put it in the white Dodge Charger before departing the area. Surveillance followed the Charger to a residence at XXXX NW 34th St. Surveillance then observed Menchaca grab the brown box from the backseat of the charger and take it inside the residence. SA Durham also observed a white Dodge Truck commonly driven by Martinez parked out front of this residence.

11. On or about August 1, 2023, the Honorable Reed O'Connor, United States District Judge for the Northern District of Texas, issued an Order authorizing the interception of wire and electronic communications to and from snapchat account "broccoli21" used by Castaneda Solano, and "alex1384" used by Alejandro Duran. Interceptions began on August 4, 2023 and expired on September 2, 2023. During this Snapchat wire, Agents intercepted consistent communications regarding Castaneda's, and Duran's drug trafficking activities as well as the involvement of others such as Belisario Martinez as a source of supply.

12. Between August 18th and 19th, 2023, Snapchat messages were intercepted between Duran and Martinez negotiating cocaine deals. Martinez messaged Duran and stated, "I bought 4 kilos from them." Duran then messaged Martinez "damn." Duran later messages "how much, buddy?" Martinez then messaged Duran "honestly, you are not going to believe me." Duran then messaged Martinez, "How much did they give them to you for?"

Martinez messaged Duran "14". Duran moments later sent Martinez a voice message saying "I will pay for one tomorrow and front me one. Fuck it, buddy." Duran then messaged Martinez "how much will you give them to me for?" Martinez then messaged Duran "15". Duran then messaged Martinez "I will pay you for one. Front me one." Martinez messaged Duran and stated, "Yes buddy." Duran then messaged Martinez and asked, "On Sunday?" Martinez then messaged Duran and asked "For how long?" Duran then messaged Martinez and stated, "One day." Martinez then messaged Duran and stated, "All right. Agents know that Duran was negotiating to purchase one kilogram of cocaine from Martinez and to be fronted a second one.

13. On or about September 26, 2023, the Honorable Reed O'Connor, United States District Judge for the Northern District of Texas, issued an Order authorizing the interception of wire and electronic communications to and from snapchat account "alex1384" used by Alejandro Duran, "mtz23232323" used by Belisario Martinez, and "osvaldozurita" used by O.Z. Interceptions began on September 29, 2023 and expired on October 28, 2023.

14. On October 1, 2023, Duran using Snapchat account alex1384 had a conversation with O.Z. using snapchat account osvaldozurita. O.Z. stated, "I asked for ten windows." In agents training and experience a "window" is a code word the DTO uses to refer to a kilo methamphetamine. Duran replied, "How much are you going to give them for?" O.Z. replied, "For 2,200." Duran replied, "Let me know because they're asking me." Corresponding message between Duran and another customer revealed that the customer was asking Duran to sell him "windows" or methamphetamine.

15. While the TIII was active, in October 2023, at the direction of Agents, the CD contacted Martinez, who was utilizing his same snapchat account mtz23232323, and coordinated a transaction to purchase 4.5 ounces of cocaine. Martinez agreed to the sale of 4.5 ounces of cocaine for \$2,400 to take place on October 11, 2023, at a QuikTrip gas station located at 2501 NE 28th St. Fort Worth, Texas. A few days prior to the transaction, Martinez sent the CD a video showing multiple kilograms of cocaine and gave prices for the cocaine to the CD. At approximately 3:00 p.m., Agents set up surveillance in the area of the QuikTrip, 2501 NE 28th St. Fort Worth, TX. Surveillance was also set up at Martinez's apartment located at XXXX Crockett St Fort Worth, TX APT XXXX, and his home located at XXXX NW 34th St Fort Worth, TX. At approximately 5:40 p.m., TFO Bragg observed Martinez's black Cadillac Escalade, driven by Martinez, arrive at his house at XXXX NW 34th St Fort Worth, TX. This location was believed to be a stash house for the cocaine, due to the return of the box during the previously mentioned attempted purchase of cocaine on the previous TIII. The arrival of the Escalade coincided with the pings of Martinez's phone. TFO Bragg observed Martinez's brother, Menchaca exit the residence and get into the black Escalade. Surveillance observed the vehicle drive to the meet location at the QuikTrip. Martinez informed the CD that he would be sending his brother for the drug transaction. Agents observed the black Escalade solely occupied by Menchaca enter the QuikTrip parking lot and park at a fuel pump. Martinez informed the CD over snapchat that his brother was there, and directed the CD to his location at a nearby pump. Agents observed the CD walk up to the black Escalade, where the CD received the 4.5 ounces of cocaine in exchange for \$2,400 from Menchaca.

Throughout the course of the TIII's on Martinez, Castaneda and Duran, agents intercepted several communications regarding the coordination to obtain, sell or possess over 5 kilograms of cocaine. Martinez on several occasions sent pictures of several kilograms of cocaine to customers.

III. Probable Cause Firearms Violations

16. During the Snapchat TIII that began on or about September 29, 2023, for the accounts belonging to Martinez and Duran, Agents developed a more complete picture of the DTO's activities. Agents learned that Belisario Martinez was a source of supply for the DTO who acquired and distributed kilogram quantities of cocaine, as well as directed the trafficking of 50 caliber rifles from the U.S. to Mexico. Agents intercepted multiple communications regarding Martinez's use of straw purchasers to acquire the 50 caliber rifles on his behalf. During the TIII, Agents intercepted a Snapchat message between Martinez and another individual, "The thing is I need them, man, seriously I need them. I have credit of 80, 100 bands to always be buying those things, you know what I mean? We're in urgent need of them down there because war there is ugly." (in reference to the 50 caliber rifles he was attempting to obtain) In the agents' training and experience when Martinez referenced "the war down there," Martinez was referring to obtaining 50 caliber rifles in order to sell in Mexico. Martinez was from Mexico it was indicated on TIII intercepts that he intended to go back there. As an importer of cocaine from Mexico, Martinez is likely to have connections willing to pay such a high price for 50 caliber rifles from the US. It is no uncommon for firearms to sell at a higher price down in Mexico.

Agents intercepted communications over the TIII of Martinez contacting various individuals regarding attempts to obtain 50 caliber rifles. Martinez detailed that he paid individuals up to 5,000 to obtain these rifles for him.

17. Conversations were intercepted in August of 2023, over the Snapchat wiretap on target snapchat account "alex1384", used by Duran and over Snapchat account "mtz23232323," utilized by Martinez. These conversations showed that Martinez attempted to conduct the straw purchase of a 50-caliber rifle along with Duran and Amaya. Intercepted communications revealed that Duran was informing Martinez that he had an individual, (later identified as Amaya) who would conduct the straw purchase for them. Amaya was identified as the user of this Snapchat account due to surveillance coinciding with messages, and pictures sent of himself over his own account to Duran. Intercepted TIII messages showed a receipt where Amaya had purchased a 50-caliber rifle to be delivered to a Federal Firearms Licensee (FFL) in Mansfield, TX. ATF Agents contacted the FFL to confirm the delivery of the firearm and confirm that the purchaser was in fact Amaya.

18. On August 10, 2023 the following messages took place between Duran using Snapchat account alex1384 and Martinez using Snapchat account mtz23232323. At 9:02a.m., Duran contacted Martinez and sent a picture of a 50-caliber rifle on a store counter. Duran then stated to Martinez, "In Austin" Duran then stated to Martinez, "Let me ask." Duran sends another picture of the same rifle to Martinez. Duran then sent a voice note to Martinez and stated "It is a semi-auto dude, but no, they are getting really cool, dude. Call me when you wake up. Fuck it." Duran then sent a voice note to Martinez and stated, "The guy asked where we could meet. He gets off at 5." Martinez sent a voice note to Duran and stated, "Wherever you

want, bro. Wherever you want, bro. I just have to be at my girl's school at 6 to meet the teachers and shit. I'll be free around 7, ask him if that time works. I'll go all the way to Burleson that's fine so we can close the deal already." Duran then sent a voice note to Martinez and stated, "We're gonna go to Buffalo Bros. We can see you after once we leave from there or if you want to go there. It's better elsewhere, so there's not people around." Martinez then sent a message to Duran and replied, "ok." Martinez then sent a message to Duran and asked, "Is the money being sent through online or through card?" Duran then sent a voice note to Martinez and stated, "He said if you wanted to go over his house so it could be safer. He lives in Burleson." Martinez then sent a voice note over to Duran and stated, "Will I be paying online or what method?" Duran then sent a voice note to Martinez and stated, "No, it would be a cashier's check." Martinez then sent a message to Duran and stated, "Yes, I'll go." Duran sent a message to Martinez and stated, "Okay bro." On August 12 the following conversation took place between Duran and Martinez over Snapchat. Duran sent a message to Martinez and stated, "The buddy asked if you're going to want the "minimi" because he asked for it. If not so he can tell them no." Martinez then sent a message to Duran and asked, "The minimi?" Martinez then sent a message to Duran and asked, "Which one, the...?" Duran then sent a message to Martinez and stated, "The 50." Martinez then sent a message to Duran and stated, "Photo of which one you're talking about." Duran then sent Martinez a picture of a 50-caliber rifle. Martinez then sent a message to Duran and asked, "It's the torreta of a 50, right?" Duran then sent a message to Martinez and replied, "Yes, dude." Duran then sent a message to Martinez and stated, "20."

Martinez then sent a message to Duran and stated, "Alright." Martinez then sent a message to alex1384 and stated, "Tomorrow you'll have your money." Duran then sent a message to mtz23232323 and stated, "Alright." On August 14, 2023, the following messages took place between Duran and Martinez over Snapchat, and an UI using snapchat username hugooo10. At 4:20 p.m., Martinez sent a voice note to Duran and asked, "Do you have the photos of the minimi that he had sent you?" Duran then sent a message to Martinez and asked, "Which one's dude?" Duran then sent a message to Martinez and passed an address of "XXXXX Oak grove Rd. S. Burleson, TX 76208." (The address to Amaya's residence.) Martinez then sent a voice note to Duran and asked, "At what time dude? At what time there?" Duran then sent a message to Martinez and stated, "Whenever you can, bro." Duran then sent a message to Martinez and stated, "Just let me know." Martinez then sent a message to Duran and stated, "On my way." Duran then sent a message to Martinez and stated, "Alright." Martinez then sent a message to Duran and stated, "I will arrive in 30." Duran then sent a message to Martinez and stated, "Alright." Duran then sent a message to Martinez and stated, "I'm here." Duran then sent a video to a group chat with several other Snapchat usernames. This video showed several thousand dollars in cash. On August 17, 2023 Duran messaged Martinez a picture of a receipt showing the purchase of a 50-caliber rifle from Ohio Ordnance in Chardon, OH. The Ship to address was an FFL located at XXXX Rendon Bloodworth Rd. Mansfield, TX 76063. The customer's name was Roque Amaya with an address of XXXXXX Oak Grove Rd. S Burleson, TX 76028.

19. On August 29, 2023 ATF and DEA Agents set up surveillance around the FFL in Mansfield, Texas. That afternoon, Agents observed Amaya enter the FFL to complete the purchase of the rifle. During this purchase Amaya completed an ATF Form 4473 (Firearms Transaction Record), Amaya marked "Yes" to question 21a which states in part "Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)? **Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.**". After the completion of the transaction Amaya was transferred the firearm and exited the store.

20. ATF Agents conducted a consensual interview of Amaya. Amaya initially stated that he bought the rifle to go hunting. Agents further questioned Amaya, and he eventually confessed to agents that he was asked to purchase the gun by "Beli" over Snapchat. Amaya stated that he met "Beli" at a club and thought that maybe he was asked to buy it because "Beli" could not get it himself or had a fake license. Amaya stated that he would make \$6,000 off this deal and that "Beli" had given him cash up front at Amaya's house to buy the rifle for him. Amaya stated that "Beli" would come get the rifle from Amaya at his house. Amaya stated that he had purchased another 50-caliber rifle for "Beli" in the past. Amaya showed agents that the Snapchat account he had talked to Martinez on was "mtz23232323." Amaya stated that "Beli" lived off of 7th Street in Fort Worth, TX. Agents seized the firearm from Amaya. Agents later intercepted more communications over Snapchat where Martinez and Duran were upset over the loss of the rifle and where Amaya was attempting to pay back Martinez and Duran for its seizure.

21. Furthermore, conversations were intercepted in September and October of 2023, over the Snapchat federal wiretap on target Snapchat account "mtz23232323," utilized by Belisario Martinez. The following Snapchat account, "linares1233" was intercepted in communication with Martinez and Duran regarding a negotiation for another straw purchase of a 50-caliber rifle. Through various investigative techniques, Agents were able to identify the user of Snapchat account, "linares1233," to be William Linares. Martinez and Linares discussed Linares picking up the 50-caliber rifle from an FFL located in Saginaw, TX to give to Martinez. Martinez discussed paying Linares to conduct this purchase for him. On September 29, 2023 Martinez sent a Snapchat message to Linares and stated, "That's all. Tomorrow we'll get that done." Linares responded to Martinez and stated, "Today, yes if it is possible, I have to return again on Saturday to San amotino" (possibly San Antonio). Martinez then sent a voice message to Linares and stated, "All right, well just call the store dude. Just call the store so you can be aware of what time it will arrive exactly. If it arrives early you can go pick it up and I will go to your house." Linares then sent message to Martinez and stated, "But when I give you the weapon you'll have the cash there?" Linares then sent a voice message to Martinez and stated, "All right, dude. Right now I will let that guy know, to see what's up. Because I'm looking at the UPS tracking but it doesn't show the address where it will arrive. It just says, supposedly today at 7:00." Martinez then sent a voice message to Linares and stated, "When you hand the weapon in my hands, that's when you will receive your 4 thousand pesos, buddy." Linares then sent a message to Martinez and stated, "Okay, because I'm leaving right away, right away after I hand you the weapon." Linares then sent voice message to Martinez and stated, "Yes, buddy. I was just asking because as soon, as soon as I hand it to you I will return to

San Antonio and I will be over there for a while." Martinez then sent a message to Linares and stated, "All right." Linares then sent a voice message to Martinez and stated, "Buddy, I think the gun...the..." Linares then sent a voice message to Martinez and stated, "Buddy, I think...the 50 is going to arrive there at around 5:00. If you want we can meet up there. I'm going to arrive in about an hour and a half. If you want we can meet up and go pick it up when I arrive." Martinez then sent voice message to Linares and stated, "Well pick it up, buddy. I want you to go pick it up. Tell Manny to go with you. Manny is also making a profit. I will stop by your house over there, so that we don't look too suspicious at the store." Linares then sent a message to Martinez and stated, "All right." Linares then sent a voice message to Martinez and stated, "Send the address of the...where to pick it up or the name of the store so I can call them." On October 3, 2023, ATF and DEA Agents set up surveillance around the FFL in Saginaw, Texas. Linares had informed the FFL that his brother would be picking up the rifle. Agents observed Linares' brother, J.R. arrive at the FFL to complete the purchase of the rifle. During this purchase, J.R. completed an ATF Form 4473 (Firearms Transaction Record), J.R. marked "Yes" to question 21a which states in part "Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheet(s) (ATF Form 5300.9A)? **Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.**". After the completion of the transaction J.R. was transferred the firearm and exited the store.

22. ATF Agents conducted a consensual interview of J.R. During the interview, J.R. stated that he was picking up the firearm for his brother, Linares. Agents seized the firearm from J.R.

A short while later while Agents were in the parking lot of the FFL; Linares called ATF Agent Loving and discussed how he could get the firearm back. SA Loving informed Linares that he could meet in person and talk to ATF Agents, Agent Loving expressed to Linares multiple times that it was voluntary to meet with Agents and that he was under no obligation to do so. Agents then intercept multiple Snapchat communications from Martinez, Duran and Linares regarding the firearm. At that time Linares did not inform Martinez that ATF seized the firearm, but instead told him he had not picked it up yet. On October 4, 2023, Linares met with ATF Agents regarding the firearm and participated in a non-custodial voluntary interview. Linares initially told agents that the firearm was purchased for himself. Eventually Linares ended the interview and departed the ATF Office. That evening, unprompted by agents, Linares contacted ATF Agent Aaron Loving stating he wanted to talk to agents again. Due to Linares already having departed the Dallas/Fort Worth Metroplex, agents interviewed Linares over the phone. Linares confessed that “Beli” whom is also known as “MTZ” had asked him to purchase the firearm for him. Linares told agents that Martinez gave Linares the cash to purchase the firearm and pulled the application up on Martinez’s phone for Linares to complete the transaction. Linares admitted that he knew Martinez was an illegal alien and was not able to buy guns. Linares stated that “Beli” had an apartment on 7th street in Fort Worth, TX, which was his (Martinez’) second home.

23. Intercepted TIII messages showed that Linares directed another individual to tell Martinez that Linares was arrested for picking up the gun and needed bail. Agents believe that Linares was making up this story to cover up the loss of the firearm from Martinez.


Agents continued to intercept TIII messages on Martinez's Snapchat where Martinez was stating to other individuals that he believed Linares was lying to him about the gun

24. On or about October 17, 2023, Agents from DEA, HSI and ATF Agents executed a federal search warrant at the residence located at XXXX NW 34th St, Ft. Worth, Texas and the apartment located at XXXX Crockett St Apt 1740 Fort Worth, TX. As a result of the search warrants, officers with Fort Worth Police Department (FWPD) arrested Belisario Martinez and Luis Menchaca Rivas for state violations.

25. The search of XXXX NW 34th St, where Martinez was located revealed: over 10 kilograms of cocaine, approximately \$17000 in cash that was banded and sectioned with rubber bands, and multiple guns. Upon agents entering the residence, Martinez told investigators that everything found in the residence belonged to him and no one else. During the search warrant of XXXX Crockett St Apt XXXX Agents located over a kilogram of cocaine that Menchaca Rivas was observed throwing over the balcony by HSI SRT members.

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26. Based on the investigation to date, I believe that **Belisario Martinez, Luis Menchaca Rivas, Jose Castaneda Solano, and Alejandro Duran**, knowingly and intentionally knowingly conspired to possess with intent to distribute over five (5) kilograms of cocaine, a Schedule II controlled substance. Furthermore, I believe that **Belisario Martinez, Alejandro Duran, Roque Amaya, and William Linares** did knowingly, conspired to acquire a firearm from a license firearms dealer by a false or fictitious statement.


Katie Durham
Special Agent
Drug Enforcement Administration

10:43 SWORN AND SUBSCRIBED before me on this 22ND day of November 2023, at a.m., in Fort Worth, Texas.


HAL R. RAY, JR.
UNITED STATE MAGISTRATE JUDGE